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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,777	11/17/2003	Gunnar Van der Steur	2594/EFC-5	2420

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EXAMINER

HEWITT, JAMES M

ART UNIT

PAPER NUMBER

3679

DATE MAILED: 07/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/714,777

Applicant(s)

STEUR, GUNNAR VAN DER

Examiner

James M Hewitt

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/17/03</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The disclosure is objected to because of the following informalities:

Each word in the title should either be underlined or not underlined so as to avoid confusion.

On page 17 line 4, the comma should be replaced with a period.

Appropriate correction is required.

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the projection in said nut forming a right angle, the projection in said fitting forming a right angle, the spray gun paint applicator, a rotary spray applicator, a robotically controlled fluid handling

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device, a robotically controlled spray gun, a robotically controlled rotary spray applicator, a spray apparatus for spray painting an automotive vehicle and a plurality of assemblies for connecting a plurality of fluid supply tubes to selected inlets in apparatus for spray painting automotive vehicles must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

Claims 1-25 are objected to because of the following informalities:

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In claim 1 line 8, "first" should be inserted before "internal diameter" to make clear that the first internal diameter is being referenced.

In claim 1 line 16, "thereof" should be deleted for clarity.

In claim 1 line 22, "thereof" should be replaced with "of said fitting" to make clear that the length of the fitting is being referenced.

In claim 1 line 27, "further predetermined" should be inserted before "distance" to make clear that said further predetermined distance is being referenced.

In claim 1 line 35, "thereof" should be replaced with "of said fitting" to make clear that the length of the fitting is being referenced.

In claim 1 line 38, it is unclear as to what "thereat" modifies or references.

In claim 24 line 2, "a" should be inserted before "spray".

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-7, 9 and 11-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Combeau (US 5,178,423).

With respect to claim 1, Combeau discloses a pull-out resistant connector assembly for connecting a fluid supply tube a fluid handling device, the assembly

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comprising: a connecting nut (6) having a proximal end and a distal end and having a first internal diameter extending longitudinally into said nut a first predetermined distance from the proximal end thereof, at which distance the internal diameter increases to a second, larger diameter extending longitudinally a further, second predetermined distance into said nut, thereby forming at the diameter transition an internal projection (18) having a circumferential sharp-edged ridge at said first distance, the nut being connectable to and over an annular fitting having a proximal end and a distal end and having an internal bore therethrough and a longitudinally tapered external surface thereof, said fitting having at its proximal end an outside diameter such that said tube is slidable thereover, said fitting tapering along its length from said outside diameter at its proximal end thereof to a larger outside diameter, this larger outside diameter extending a distance along the length thereof, at which distance the outside diameter decreases to a smaller diameter which extends longitudinally a further predetermined distance along the length of said fitting, thereby forming an external projection (16) having a circumferential sharp-edged ridge around said fitting at said distance, said nut adapted to receive a length of said fluid supply tube into and through its proximal end, wherein, upon connection said assembly, said tube extends within said nut a distance beyond said first predetermined distance, beyond said internal projection in said nut, over the proximal end of said fitting, and extends along and over said fitting a distance beyond said external circumferential projection thereof (refer to Figure 3), said nut and said fitting compressing said tube therebetween upon connection and

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securing said supply tube thereat, the fitting adapted at its distal end to connect said internal bore to an inlet port of said fluid handling device.

With respect to claim 2, connecting a fluid supply tube to a nipples inlet of a fluid handling device.

With respect to claim 3, wherein said nut and said fitting are connected by internal threads in the nut mating with external threads on the fitting.

With respect to claim 5, wherein said projection around said fitting is tooth-shaped in cross-section, angled distally, thereby providing a biting force resisting tube pull-out.

With respect to claims 6 and 7, wherein said projections of said nut and fitting form a right angle.

With respect to claim 9, wherein said fluid supply tube (9) is a plastic tube.

With respect to claims 11-18, Combeau is considered to meet the requirement for a given type of fluid insofar as Combeau's device, as it is a fluid conveying device, is capable of conveying each of the claimed fluids.

With respect to claims 19-25, Combeau is considered to meet the requirement for connection to a given fluid handling device insofar as Combeau's device, as it should be understood to connect a fluid supply tube to a fluid handling device, is capable of connection to each of the claimed type of fluid handling devices/systems.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Combeau (US 5,178,423) in view of Zani (EP 0 425 022 A1).

Combeau teaches all the limitations of claims 4 and 8 except that the projection of the nut is angled distally. Zani teaches a similar coupling device, wherein the connecting nut includes a projection (24) that extends distally in order to grip the tube (17) in order to better retain the tube. In view of Zani's teaching, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Combeau's projection with a distally angled projection in order to better secure and retain the tube.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Combeau (US 5,178,423).

Combeau employs a plastic fluid supply tube, yet it is unclear whether he discloses a fluorelastomeric tube. Nevertheless, it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a fluoroelastomeric tube, since it has been held to be within the general skill of a worker in



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the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

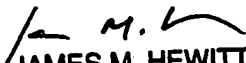
### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hewitt whose telephone number is 571-272-7084.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**JAMES M. HEWITT**  
**PRIMARY EXAMINER**